

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

RUSHARD BURTON AND KEJON WARD,

Defendants.

Case No. 2:17-cr-00221-JAD-EJY

**ORDER**

Before the Court is a letter written by Defendant Rushard Burton (ECF No. 261) in which Mr. Burton explains that he has twice been sent a USB drive by counsel and twice received the envelope sent; however, on both occasions there was no USB drive inside. On each occasion, Mr. Burton confirmed with counsel that the drive was in the envelope when mailed. In order to avoid a third occurrence of this same event, and given the upcoming trial date,

IT IS HEREBY ORDERED that counsel for Defendant Rushard Burton must hand deliver the USB drive intended for Mr. Burton to Courtroom Deputy Elvia Garcia. The USB drive must be placed in a sealed envelope, addressed to Mr. Burton, bearing the words “**Confidential--Attorney-Client Privilege.**” Counsel for Mr. Burton must contact Ms. Garcia (at [elvia\\_garcia@nvd.uscourts.gov](mailto:elvia_garcia@nvd.uscourts.gov)) to arrange, without delay, a date, time, and location for hand delivery of the sealed envelope containing the USB drive.

IT IS FURTHER ORDERED that upon receipt, Ms. Garcia will hand deliver the sealed envelope containing the USB drive to the U.S. Marshal Service who must coordinate the hand delivery of the sealed envelope to Mr. Burton at the CoreCivic facility in Pahrump, Nevada, within 36 hours of receipt of the same from Ms. Garcia.

IT IS FURTHER ORDERED that CoreCivic must deliver the envelope, with its content enclosed, to Mr. Burton within 24 hours of receipt of the same by the facility.

1 IT IS FURTHER ORDERED that CoreCivic must provide the U.S. Marshal Service with  
2 confirmation that the envelope was delivered to Mr. Burton, with the content intact, within 24 hours  
3 of delivery of the envelope and its content to Mr. Burton.

4 IT IS FURTHER ORDERED that the U.S. Marshal Service shall notify Ms. Garcia of the  
5 confirmation received from CoreCivic promptly upon receipt.

6 IT IS FURTHER ORDERED that failure to comply with the terms of this Order may result  
7 in an Order that representatives of the U.S. Marshal Service and CoreCivic appear before the Court  
8 to explain the failure to comply.

9 IT IS FURTHER ORDERED that Ms. Garcia must ensure delivery of a copy of this Order  
10 to the U.S. Marshal Service.

11 IT IS FURTHER ORDERED that the U.S. Marshal Service must ensure delivery of a copy  
12 of this Order to the appropriate individuals at the CoreCivic facility in Pahrump, Nevada.

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14 Dated this 24th day of March, 2021.

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18 ELAYNA J. YOUCHAH  
19 UNITED STATES MAGISTRATE JUDGE  
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